



Kalamazoo Public Library

Public Policy: Disclosure of Registration and Circulation Records

It is the policy of the Kalamazoo Public Library to preserve the confidentiality and privacy of the registration and circulation records of its borrowers to the fullest extent permitted by law. To that end, the registration and circulation records of the Library shall be released or disclosed only as provided for herein.

Confidential Records

Any document, record, or other method of storing information retained by the Library that identifies a person as having requested or obtained specific materials from the Library is a confidential record which shall not be released or disclosed to any person without the written consent of the person identified in the confidential record, unless a court orders such release or disclosure.

Nonidentifying Records

Any other record or data pertaining to the circulation of library materials in general which does not identify a borrower may be released or disclosed to the extent and in the manner provided in the Michigan Freedom of Information Act (Act No. 442 of P.A. of 1976, being MCLA SS15.231 to 15.246).

Notification of Library Director

Any employee of the Kalamazoo Public Library who receives a request, or who is served with a subpoena, court order, or other legal process, to release or disclose any Library circulation record or material shall promptly notify the Library Director without releasing or disclosing such records.

Action by Library Director

The Library Director, in a timely manner, shall review all requests and orders, consult with the Library's Attorney as necessary, and respond in an

appropriate manner to each such request and order in accordance with this policy.

Requests for Confidential Records

The Library Director shall deny, in writing, all requests for the release or disclosure of confidential records as defined above unless he or she has in his or her possession the written consent to such release or disclosure of the person identified in the confidential record requested and the Library Director is satisfied as to the authenticity of the consent. The Library Director, in his or her discretion, either may require the person requesting the release or disclosure of the confidential record to secure the written consent of the person identified in that record or may obtain that consent directly from the person identified.

Court Order for Confidential Records

The Library Director upon consultation with legal counsel, shall comply fully with any lawfully issued subpoena or other court order to release or disclose confidential records as defined above.

Requests for Nonidentifying Records

The Library Director shall consult with, and follow the advice of, the Library's Attorney concerning requests for the release or disclosure of nonidentifying records as defined above.

Other Considerations

Any questions or problems relating to the subject of the confidentiality of library registration and circulation records, or their possible release or disclosure, not specifically covered by this policy shall be referred to the Library Director who shall handle them as he or she deems appropriate, consistent with the spirit of this policy.

Authority for Policy

The authority for this policy is the Michigan Library Privacy Act (Act No. 455, P.A. 1982, being MCLA SS397.601 to 397.605) and the Michigan Freedom of Information Act. (Act No. 442, P.A. 1976, as amended, being MCLA SS15.231 to 15.246).

Policy adopted February 24, 1992.

Policy effective February 24, 1992.